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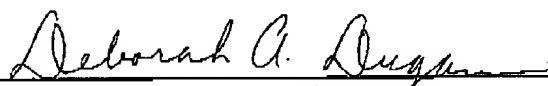
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Response to Restriction Requirement mailed February 5, 2004 in connection
with In re Application of: Charles A. Nicolette USSN 09/922,405 filed
08/03/2001. - (3 sheets)

Group Art Unit: 1642
Examiner: Stephen L. Rawlings

TOTAL NUMBER OF PAGES (INCLUDING THIS COVERSHEET): 4

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Patent
Our Docket: 5036


IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)	Art Unit: 1642
Charles A. NICOLETTE)	
)	Examiner: Stephen L. Rawlings
Serial No.: 09/922,405)	
)	
Filed: August 3, 2001)	
)	
For: THERAPEUTIC ANTI-MELANOMA)	
COMPOUNDS)	

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March 5, 2004
Date


Deborah A. Dugan

Response to Restriction Requirement/ Species Election under 35 U.S.C. 121

This communication is being filed in response to a Restriction Requirement mailed February 5, 2004. A response to this Restriction Requirement is due on March 5, 2004. Accordingly, this response is timely filed.

Remarks:

Claims 1-9 are pending in the subject application and are subject to a restriction requirement and species election.

In re: Nicolette
USSN: 09/922,405
Filed: August 3, 2001
Page 2

Requirement for Restriction under 35 U.S.C. 121

In the February 5, 2004 Office Action, the Office required restriction under 35 U.S.C. § 121 to one of the following allegedly independent and distinct inventions:

- Group I Claims 1-3, drawn to compositions comprising immunogenic ligands, classified in class 424, subclass 185.1.
- Group II Claims 4-8, drawn to host cells comprising immunogenic ligands, classified in class 435, subclass 325.
- Group III Claim 9, drawn to a method of inducing an immune response, classified in class 424, subclass 185.1.

Applicant's undersigned attorney hereby elects, with traverse, the invention of Group I, claims 1-3.

Species Election Requirement under 35 U.S.C. 121

The Office further required Applicant to specifically elect "**at least two species**"¹ from the Markush group, which will be considered for prosecution on the merits.

- a) SEQ ID NO: 3;
- b) SEQ ID NO: 5;
- c) SEQ ID NO: 7;
- d) SEQ ID NO: 9;
- e) SEQ ID NO: 11;
- f) SEQ ID NO: 13;
- g) SEQ ID NO: 15;
- h) SEQ ID NO: 17;
- i) SEQ ID NO: 19;
- j) SEQ ID NO: 21;
- k) SEQ ID NO: 23; and
- l) SEQ ID NO: 25.

¹ See February 5, 2004 Office Action, page 4, paragraph 2: Applicant is required under 35 U.S.C. 121 to specifically elect **at least two species** of peptide ligand from the Markush group ... (emphasis added).